

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

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In re:

**James Watson Warner and Hui Cha Kim**

S.S. Nos.: xxx-xx-4081 and xxx-xx-2543

Mailing Address: 6300 New Sharon Church Road, Rougemont, NC  
27572-

**Case No. 11-80960**

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**Debtors.**

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on June 15, 2011.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: July 21, 2011

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

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/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

**CH. 13 PLAN - DEBTS SHEET**  
(MIDDLE DISTRICT - DESARDI VERSION)

RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

Retain	Creditor Name	Sch D #	Description of Collateral
	Orange Co. Tax Collector		Mobile Home

ARREARAGE CLAIMS

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
				**
				**
				**
				**
				**
				**
				**
				**
				**
				**

LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

STD - SECURED DEBTS w/ FMV

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Vanderbilt	1	\$17,560	5.25	\$176	\$364.95	Mobile Home
				5.00			
				5.00			
				5.00			

STD - SECURED DEBTS w/ 100%

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Electel		\$5,159	5.25	\$52	\$107.22	2006 Hyundai Tucson
				5.00			
				5.00			
				5.00			
				5.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$2,800
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		
State Taxes		
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)		Int. %
All Co-Sign Protect Debts (See †)		
GENERAL NON-PRIORITY UNSECURED		Amount**
DMI=	None(\$0)	None(\$0)

Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

PROPOSED CHAPTER 13 PLAN PAYMENT

\$	507	per month for	60	months, then
\$	N/A	per month for	N/A	months.
Adequate Protection Payment Period:				5.88 months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOSTO

## **CERTIFICATE OF SERVICE**

I, Kaelyn McCollum , the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Kaelyn McCollum  
\_\_\_\_\_  
Kaelyn McCollum

Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	NC Department of Revenue c/o Reginald S. Hinton Post Office Box 25000 Raleigh, NC 27640-5000	NC Department of Justice for NC Department of Revenue Post Office Box 629 Raleigh, NC 27602-0629
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	Bank of America Post Office Box 21848 Greensboro, NC 27420-1848	North Carolina Dept of Revenue** Post Office Box 1168 Raleigh, NC 27602-1168
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	Child Support Enforcement Post Office Box 20800 Raleigh, NC 27619-0800	Orange County Tax Collections** PO Box 8181 Hillsborough, NC 27278
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	Electel Cooperative Credit Union Attn: Managing Agent Post Office Box 27306 Raleigh, NC 27611-7306	Orange County Tax Collections** Attn: Managing Agent PO Box 8181 Hillsborough, NC 27278
Experian P.O. Box 2002 Allen, TX 75013-2002	FIA Card Services** Bank of America PO Box 15026 Wilmington, DE 19850-5026	Private Diagnostic Clinic, PLLC 5213 South Alston Avenue Durham, NC 27713
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Integrative Physicians, PA 3001 Academy Road Suite 200 Durham, NC 27707	Sessoms & Rogers Atty at Law 3326 Durham-Chapel Hill Blvd Suite A-200 Durham, NC 27707
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Internal Revenue Service (MD)** Post Office Box 7346 Philadelphia, PA 19101-7346	Smith Debnam Narron Drake Sain & Myers, L.L.P P.O. Box 26268 Raleigh, NC 27611
Internal Revenue Service (ED)** Post Office Box 7346 Philadelphia, PA 19101-7346	Law Offices of John T. Orcutt 6616-203 Six Forks Road Raleigh, NC 27615	Triangle Orthopaedic Assoc., PA 120 William Penn Plaza Durham, NC 27704
US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Macy's ** Bankruptcy Processing P.O. Box 8053 Mason, OH 45040	US Attorney's Office (MD)** Middle District Post Office Box 1858 Greensboro, NC 27502-1858

Vanderbilt Mortgage & Finance  
Attn: Managing Agent  
Post Office Box 9800  
Maryville, TN 37802